



News

ENVIRONMENT

EPA Administrator Christie Whitman is expected to make the announcement upholding a Clinton-era rule on lead reporting.

## EPA to OK Clinton rule on lead releases

**Action follows similar move on nation's wetlands**

MSNBC STAFF AND WIRE REPORTS

April 17 — In a second such move in as many days, the Bush administration on Tuesday will uphold a Clinton-era environmental rule, administration sources tell NBC News. The rule requires more detailed reports on lead emissions by industry. It follows a decision Monday to allow a Clinton-era rule on wetlands protection.

[COMPLETE STORY](#)

ADVERTISING ON MSNBC



‘... the wetlands that are being excavated don’t meet any common definition of the term “wet.” The vast majority of

THE HEAD of the Environmental Protection Agency, Christie Whitman, will make the lead announcement from the White House later Tuesday, sources told NBC’s Campbell Brown.

The rule, which like many others has been under review by the Bush administration, requires significantly more reporting of lead releases under the EPA’s Toxics Release Inventory, a public right-to-

people would not be able to distinguish them from non-wetlands.'

— **NATIONAL ASSOCIATION OF HOME BUILDERS**  
From document opposing new regulation

know program.

Prior to the rule, industrial facilities were not required to report lead releases unless they make or process more than 25,000 pounds a year, or use more than 10,000 pounds a year. With the rule, the threshold for reporting is slashed to 100 pounds a year.

### WHITE HOUSE ON WETLANDS

On Monday, the White House, which has faced growing criticism over President Bush's stewardship of the environment, went out of its way to praise the wetlands rule, which regulates activities such as landscaping or ditch digging in or near wetland areas.

"The president applauds EPA Administrator (Christie) Whitman's decision to move forward with pending regulations to protect our wetlands," the White House said in a statement.

"A 1997 court decision opened up a loophole in the Clean Water Act that could have been used to jeopardize vital wetlands," the White House added. "This new rule will close that loophole, protecting an estimated 20,000 acres of wetlands and 150 miles of streams in the U.S. This new rule will also provide much needed regulatory certainty by clarifying the kinds of activities that the EPA and the U.S. Army Corps of Engineers believe may result in harmful discharges into our nation's wetlands."

The EPA estimates that 20,000 acres of wetlands have been destroyed in the past two years because of work done without government approval.

The rule, which is part of the Clean Water Act, had been scheduled to take effect on Feb. 16. It was delayed until after the Bush administration completed a review of regulations approved by former President Clinton in his final days in office.

### THOSE IN FAVOR

Environmental groups were pleasantly surprised by the decision, which comes after several administration moves seen as harmful to humans and wildlife. Among them are the president's withdrawal of a campaign promise to limit carbon dioxide emissions and Whitman's decision to suspend a Clinton-era rule that would have slashed the acceptable level of arsenic in drinking water.

"Given that Earth Day is coming up" on April 22, said Sierra Club Executive Director Carl Pope, "it's nice to see a positive decision in a host of bad environmental news coming from the White House."

But activists added that if the administration wavers in taking legal action against violators, the rule could



quickly become moot.

“(The decision) comes as a welcome surprise,” said Daniel Rosenberg, an attorney with the Natural Resources Defense Council. “That said, we are viewing it with some degree of caution. It remains to be seen how vigorously the administration will defend the rule. It could be weakened or killed in the courtroom, through court settlements with the industry.”

## Environmentalists & Bush



Reuters file

- [Likes](#)
- [Dislikes](#)
- [What's in](#)

**Wetlands:** Bush and his EPA chief, Christie Whitman, praised and allowed to take effect a Clinton-era rule that regulates digging and landscaping around wetlands.

**Diesel:** Whitman strongly defended a Clinton-era rule requiring huge sulfur cuts in diesel.

**Pesticides:** The EPA said it would abide by a Clinton-era consent decree to improve pesticide enforcement. But activists also noted the EPA had little legal flexibility to contest it, and that the agency said it would take a look at risk assessments in re-evaluating pesticides.

**Trade talks:** Settling a lawsuit, the Commerce Department agreed to name one environmental representative to an otherwise all-industry committee that advises the government on chemical imports and exports.

**Brownfields:** EPA chief Whitman is urging Republicans not to undermine a bipartisan bill to clean up abandoned urban properties by tying it to controversial reforms of the Superfund cleanup program.

[Printable version](#)

## THOSE AGAINST RULE

Home builders and the National Mining Association have been the loudest opponents of the wetlands rule.

Jerry Howard, president of the National Association of Home Builders, said he was disappointed that the administration didn't sink the new rule. His organization had already filed a federal lawsuit to have it thrown out, arguing that lower courts have already ruled against the federal government.

"Equally important," the association says in a

document about the issue, "the wetlands that are being excavated don't meet any common definition of the term

**Environment news**

**Keep up with environment news: MSNBC's special section is updated**

**regularly**

- [Click here to bookmark Environment News](#)

‘wet.’ The vast majority of people would not be able to distinguish them from non-wetlands.”

**CLEAN WATER ACT BATTLEGROUND**

The issue of wetlands preservation has long been a battleground for environmental groups and the construction industry.

Wetlands provide flood protection and homes for a wide range of birds, fish, shellfish and wildlife. They also serve as natural filters for toxins, heavy metals and other pollutants because the vegetation and wet soil trap toxins and sediments.

**Earth matters****Join the conversation**

- [Environmental Issues Discussion Board](#)

Under the Clean Water Act, introducing pollutants into waterways requires a permit. But whether the entirety of

the act applied to wetlands — areas of low-standing water — was left ambiguous by a 1997 U.S. District Court ruling in favor of a construction effort.

That ruling allowed companies to dig soil and gravel and reintroduce it into streams and waterways. It also has allowed construction companies to clear more land and expand channels.

Environmentalists say both processes can ruin the delicate ecology of wetlands. The EPA agreed, adding that humans too are harmed by poorer water quality.

“In addition to serving as habitat for wildlife, wetlands help filter and protect our country’s water supply,” EPA chief Christie Whitman said Monday. “Today’s action will help preserve our wetlands for ourselves and for future generations.”

---

**SPECIAL REPORT** [MSNBC environment coverage](#)

---

*MSNBC.com’s Miguel Llanos, The Associated Press and Reuters contributed to this report.*

---

**ENVIRONMENT**

**STORY** [EPA to OK Clinton-era rule on lead](#)

**STORY** [W's Green War](#)

- [STORY](#) Holiday Massacre
- [STORY](#) Clinton appliance rules challenged
- [HOME](#) [MSNBC Cover Page](#)

[SPECIAL REPORT](#) "Environment" - Complete coverage

**LINKS, SITES & MEDIA**

MSNBC not responsible for content of Internet links

- [INTERNET](#) EPA background on Toxics Release Inventory
- [INTERNET](#) EPA background on wetlands
- [INTERNET](#) Sierra Club background on wetlands case
- [INTERNET](#) National Association of Home Builders background on wetlands
- [INTERNET](#) Find wetlands in your area

---

### MSNBC VIEWERS' TOP 10

Would you recommend this story to other viewers?

not at all **1** - **2** - **3** - **4** - **5** - **6** - **7** highly

[BACK TO TOP](#) 



MSNBC is optimized for

- Microsoft Internet Explorer
- Windows Media Player

- [MSNBC Terms, Conditions and Privacy](#) © 2001

[Cover](#) | [Headlines](#) | [News](#) | [Business](#) | [Sports](#) | [Local](#) | [Technology](#) | [Living & Travel](#) | [Health](#)  
[TV News](#) | [Opinions](#) | [Weather](#) | [Shop@MSNBC](#) | [MSN](#) | [Comics](#) | [Find](#) | [About MSNBC](#) | [Help](#) | [Index](#)  
[InfoCenter](#) | [News Tools](#) | [Jobs](#) | [Write Us](#) | [Advertising on MSNBC](#) | [Terms, Conditions, and Privacy](#)



[Find](#) [Help](#) [NewsTools](#) [Write Us](#)